

RULES AND REGULATIONS

(b) *Appointment by State board.* In order for the appointment power to be vested in the State board pursuant to paragraph (a) of this section, a majority of its members must be individuals elected directly by the eligible voters of the State or of the districts which the individuals represent or by the State legislature.

(Sec. 703, Public Law 91-230)

2. The opening sentence of § 102.22 is revised to read as follows:

§ 102.22 Membership.

The membership of the State advisory council shall exclude members of the State board, the State director of vocational education, and State board staff, and shall include:

(Sec. 104(b)(1)(A), Public Law 90-576, as amended)

3. In § 102.23, paragraph (e) is revised to read as follows:

§ 102.23 Functions and responsibilities.

(e) Prepare and submit to the Commissioner within 60 days after his acceptance of certification submitted pursuant to § 102.21(c) an annual budget covering the proposed expenditures of the State advisory council and its staff for the following fiscal year.

(Sec. 104(b)(1)(B), (C), and (D), Public Law 90-576)

4. In § 102.93, paragraph (e) is revised to read as follows:

§ 102.93 Requirements.

(e) The program will include consumer education as an integral part thereof, including promotion of nutritional knowledge and food use and the understanding of the economic aspects of food use and purchase.

(Sec. 705 of Title VII, Public Law 91-230)

5. Section 102.123 is revised by adding a new paragraph (c) as follows:

§ 102.123 Allotment availability.

(c) Notwithstanding paragraphs (a) and (b) of this section, any funds allotted to the States to carry out the programs under the Act for any fiscal year, ending prior to July 1, 1973, which are not used prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for use by State boards, local educational agencies, and State advisory councils during such succeeding fiscal year, provided during such succeeding fiscal year.

(Sec. 402(a)(8), Public Law 91-230)

6. Section 102.153 is revised to read as follows:

§ 102.153 Payment to State advisory council.

Upon his approval of the budget submitted by the State advisory council pur-

suant to § 102.23(e), the Commissioner will pay the amount requested by the State advisory council in its approved budget; *Provided*, That such amount does not exceed the maximum entitlement of the State advisory council determined pursuant to section 104(c) of the Act and applicable appropriation acts.

(Sec. 104(c), Public Law 90-576)

7. In § 102.156, paragraph (a) is revised to read as follows:

§ 102.156 Transfer of allotments.

(a) Any portion of the amount allotted to any State for any fiscal year from funds appropriated under section 102(a) of the Act for the purposes of part B or part C of the Act which the Commissioner determines will not be required for such purposes in the period during which such allotment is available may, upon the approval of the Commissioner pursuant to paragraph (c) of this section, be transferred to or combined with one or more of the other allotments to the State for the same fiscal year under the Act. The amount so transferred is subject to the same conditions and requirements as the allotment to which it is transferred, and is no longer subject to the conditions and requirements as the allotment from which it was transferred. Thus, any reference in this part to "funds allotted under the Act" refers also to transferred funds included as a part of an allotment under the Act.

(Sec. 402(a)(8), Public Law 90-247, as amended)

8. Section 102.158 is revised to read as follows:

§ 102.158 Disposition of unexpended Federal funds.

Whenever any portion of any allotment to any State under the Act has not been used in the State for the purpose provided for in the Act, regulations, and State plan with respect to that allotment, and has not been transferred to another allotment pursuant to § 102.156 or reallocated to other States pursuant to § 102.157 in the period during which such allotment is available, a sum equal to such portion will be deducted from the next payment of funds allotted to such State.

(Sec. 402(a)(8), Public Law 90-247, as amended)

9. These amendments shall take effect 30 days after they are published in the *FEDERAL REGISTER*. (Sec. 421(c), Public Law 90-247, as amended.)
(82 Stat. 1064-1091, 20 U.S.C. 1241 to 1391, as amended)

Dated: August 24, 1970.

T. H. BELL,
Acting U.S.

Commissioner of Education.

Approved: October 20, 1970.

ELLIOT L. RICHARDSON,
*Secretary of Health,
Education, and Welfare.*

[F.R. Doc. 70-14391; Filed, Oct. 28, 1970;
8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-54; Amdt. No. 173-37]

PART 173—SHIPPERS

Extended Use of Class 111AW3 Tank Cars

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to authorize the use of class 111AW3 tank cars when class 111AW1 tank cars are prescribed.

On July 17, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-54; Notice No. 70-14 (35 F.R. 11521) which proposed the amendment to authorize the use of class 111AW3 tank cars when tank cars, class 111AW1, are prescribed.

Interested persons were afforded an opportunity to participate in this rule making. No comments were received.

Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.31 paragraph (a)(3) is amended to read as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

(a) * * *

(3) Unless otherwise specifically provided in Part 173, when class DOT-105AW, 105A-ALW, 106A, 109A-ALW, 110AW, 111A, 112AW, or 114AW tank car tanks are prescribed, the same class tanks having higher marked test pressures than those prescribed may also be used. When class DOT-111AW1 tank car tanks are prescribed, class 111AW3 tank car tanks may also be used.

This amendment is effective December 31, 1970. However, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

Issued in Washington, D.C., on October 21, 1970.

C. R. BENDER,
*Admiral, U.S. Coast Guard,
Commandant.*

CARL V. LYON,
*Acting Administrator,
Federal Railroad Administration.*

[F.R. Doc. 70-14386; Filed, Oct. 28, 1970;
8:47 a.m.]

[Docket No. HM-52; Amendment No. 173-36]

PART 173—SHIPPERS

Nitric Acid in Type 105A-ALW Tank Cars

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to

authorize the shipment of nitric acid in specification 105A100ALW tank cars.

On June 10, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-52; Notice No. 70-12 (35 F.R. 8946) which proposed the above amendment.

Interested persons were invited to give their views on this proposal. No comments were received. Accordingly, 49 CFR Part 173 is amended as follows:

In § 173.268 paragraph (d) (2) is added to read as follows:

§ 173.268 Nitric acid.

(d) * * *

(2) Specification 105A100ALW (§§ 179.200, 179.201). Tank cars. Tanks must be fabricated of aluminum alloy which is compatible with the lading, and must be equipped with safety relief valves made of material which is not adversely affected by the lading.

This amendment is effective December 31, 1970. However, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

Issued in Washington, D.C., on October 21, 1970.

T. R. SARGENT,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

[F.R. Doc. 70-14385; Filed, Oct. 26, 1970;
8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Kenai National Moose Range, Alaska; Correction

In F.R. Volume 35, No. 180, dated Wednesday, September 30, 1970, on page 15223, the first paragraph of F.R. Doc. 70-13001 (§ 28.28) should read as follows:

The use of lightweight, motorized vehicles commonly identified by the general term "snow-traveler" is permitted on areas of the Kenai National Moose Range that are closed to travel by conventional vehicles, subject to the following special conditions:

Special condition 3 should read as follows:

3. The use of "Snow-travelers" as an aid in big game hunting or for transporting big game is prohibited; except that snow-travelers may be used on an experimental basis as an aid in big-game hunting or for transporting big game during a special antlerless moose season, date to be announced by the Alaska Department of Fish and Game Commissioner, in Subunits 15A and 15B with the following exclusions:

Subunit 15-A West: That area comprising the canoe system and the Swanson River Oilfield participating area, bounded on the south by the Kenai National Moose Range boundary; on the west by the Swanson River Road and a line immediately outside the Swanson River Oilfield; bounded on the north by the continuing line outside the Oilfield, the south bank of the Swanson River to Wild Lake, thence a line to the north shore of Pepper Lake; bounded on the east by a line to Muskrat Lake and thence along the north bank of the Moose River to the point of origin.

Subunit 15-A South: Two portions of Subunit 15-A South will remain closed: That portion of Subunit 15-A South within the participating area of the Swanson River Oilfield to a distance of one-half mile south of the Swanson River Oilfield access road; and that portion of the Kenai National Moose Range located in Subunit 15-A South, located south of the Sterling Highway.

Subunit 15-B East: That portion of the Kenai National Moose Range west of Funny River, and a line from the headwaters of the west fork of the Funny River to the mouth of Shanpapalik Creek on Tustemena Lake.

LOREN W. CROXTON,
Acting Area Director, Bureau of
Sport Fisheries and Wildlife,
Anchorage, Alaska.

OCTOBER 19, 1970.

[F.R. Doc. 70-14384; Filed, Oct. 26, 1970;
8:47 a.m.]

PART 32—HUNTING

Mark Twain National Wildlife Refuge, III.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ILLINOIS

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of rabbits and quail on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the area of the Calhoun Division designated by signs as open to hunting. This open area, comprising 4,500 acres lying west of the Illinois River is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal

Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations concerning the hunting of rabbits and quails and subject to the following conditions:

(1) The open season for hunting rabbits on the refuge is from December 11, 1970, through January 31, 1971, inclusive.

(2) The open season for hunting quail on the refuge is from December 11, 1970, through December 31, 1970, inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1971.

JAMES F. GILLET,
Refuge Manager, Mark Twain
National Wildlife Refuge.

OCTOBER 20, 1970.

[F.R. Doc. 70-14417; Filed, Oct. 26, 1970;
8:50 a.m.]

PART 32—HUNTING

Mark Twain National Wildlife Refuge, III.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ILLINOIS

MARK TWAIN NATIONAL WILDLIFE REFUGE

Public hunting of raccoons on the Mark Twain National Wildlife Refuge, Ill., is permitted only on the area designated by signs as open to hunting. This open area, comprising 7,299 acres, is delineated on maps available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations concerning the hunting of raccoons subject to the following conditions:

(1) The open season for hunting raccoons on the Batchtown and Calhoun Divisions is from December 11, 1970, through January 31, 1971 (12 m.), inclusive.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuges generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 31, 1971.

JAMES F. GILLET,
Refuge Manager, Mark Twain
National Wildlife Refuge.

OCTOBER 20, 1970.

[F.R. Doc. 70-14418; Filed, Oct. 26, 1970;
8:50 a.m.]